

FILED  
MAR 23 12 03  
U.S. DISTRICT COURT  
DISTRICT OF MASS.

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS

BLACKWELL PUBLISHING, INC; ET AL.,

CAUSE NO. 04-10050 NG

CERTIFICATE OF SERVICE

Plaintiff/Petitioner

vs.  
FEDERAL STATE OF NORDRHEIN-WESTFALEN,  
GERMANY, D/BA/ ZBMED

Defendant/Respondent

This service has been completed in compliance with the Hague Convention on the Service Abroad of Judicial and Extra-Judicial Documents in Civil and Commercial Matters (Done at The Hague November 15, 1965)(Entered Into Force for the U.S. February 10, 1969). The Certificate of Service attached is also in compliance.



AMTSGERICHT KÖLN  
371 AR 4142/04

# ZUSTELLUNGSZEUGNIS / ATTESTATION / CERTIFICATE

Die unterzeichnete Behörde beehrt sich, nach Artikel 6 des Übereinkommens zu bescheinigen,

The undersigned authority has the honour to certify, in conformity with article 6 of Convention,  
L'autorité soussignée a l'honneur d'attester conformément à l'article 6 de ladite Convention.

1) daß der Antrag erledigt worden ist \*) /that the document has been served \*) /que la demande a été exécutée \*)

- am (Datum): - the (date): /- le (date): **16.02.2004**

- in (Ort, Straße, Nummer): - at (place, street, number): /- à (localité, rue, numéro)

**D-50931 Köln, Joseph-Stelzmann-Straße 9**

- in einer der folgenden Formen nach Artikel 5: - in one of the following methods authorised by article 5: /- dans une des formes suivantes prévues à l'article 5:

a) in einer der gesetzlichen Formen (Artikel 5 Absatz 1 Buchstabe a) \*).

in accordance with the provisions of sub-paragraph a) of the first paragraph of article 5 of the Convention \*) /selon les formes légales (article 5, alinéa premier, lettre a) \*)

b) in der folgenden besonderen Form \*): /in accordance with the following particular method \*): /selon la forme particulière suivante \*):

c) durch einfache Übergabe \*). /by delivery to the addressee, who accepted it voluntarily \*). /par remise simple \*).

Die in dem Antrag erwähnten Schriftstücke sind übergeben worden an:

The documents referred to in the request have been delivered to: / Les documents mentionnés dans la demande ont été remis à:

- (Name und Stellung der Person): - (identity and description of person): /- identité et qualité de la personne):

**die stellvertretende Bibliotheksdirektorin Frau Ursula Zängt-Kampf**

- Verwandtschafts-, Arbeits- oder sonstiges Verhältnis zum Zustellungsempfänger:

- relationship to the addressee, (family, business or other): /- liens de parenté, de subordination ou autres, avec le destinataire de l'acte:

./.

2. daß der Antrag aus folgenden Gründen nicht erledigt werden konnte \*):

that the document has not been served, by reasons of the following facts \*): / que la demande n'a pas été exécutée, en raison des faits suivants \*):

./.

Nach Artikel 12 Absatz 2 des Übereinkommens wird die ersuchende Stelle gebeten, die Auslagen, die in der beiliegenden Aufstellung im einzelnen angegeben sind, zu zahlen oder zu erstatten \*).

In conformity with the second paragraph of article 12 of the Convention, the applicant is requested to pay or reimburse the expenses detailed in the attached statement \*)

Conformément à l'article 12, alinéa 2, de ladite Convention, le requérant est prié de payer ou de rembourser les frais dont le détail figure au mémoire ci-joint \*).

**Anlagen / Annexes / Annexes**

**Zurückgesandte Schriftstücke: / Documents returned: / Pièces renvoyées:**

**Gegebenenfalls Erledigungsstücke:**

In appropriate cases, documents establishing the service:

Le cas échéant, les documents justificatifs de l'exécution:

Ausgefertigt in

Done at / Fait à **D-50922 Köln**

am

the/ le **04.03.2004**

Unterschrift und /oder Stempel

Signature an/or stamp

Signature et/ou cachet.

*Deff*

(Weith)

Rechtspflegerin



**REQUEST  
FOR SERVICE ABROAD OF JUDICIAL OR EXTRAJUDICIAL DOCUMENTS**

Convention on the service abroad of judicial and extra judicial documents in civil or commercial matters, signed at the The Hague, November 15, 1965.

Identity and address of the applicant

< Rick Hamilton,  
910 5th Ave.  
Seattle, WA 98104  
United States of America >

Authorized applicant pursuant to public law  
97-351 of Feb. 26, 1983 which amended rule  
4(c)2(a) Federal Rules of Civil Procedure

Address of receiving authority

Justizminister des Landes Nordrhein-Westfalen  
Cecilienallee 3  
40474 Düsseldorf, Germany

copy mailing address

The undersigned applicant has the honour to transmit in duplicate the documents listed below and, in conformity with article 5 of the above-mentioned Convention, requests prompt service of one copy thereof on the addressee, i.e., (identity and Address)

**FEDERAL STATE OF NORDRHEIN-WESTFALEN, GERMANY D/B/A ZMED**

DOB:

**DEUTSCHE ZENTRALBIBLIOTHEK FUER MEDIZIN JOSEPH-STELZMANN-STRASSE 9  
COLOGNE, 50931**

**Germany**

Phone: () -

☒ (a) in accordance with the provisions of sub-paragraph of article 5 of the Convention.\*

☐ (b) in accordance with the following particular method (sub-paragraph (b) of the first paragraph of article 5)\*

☐ (c) by delivery to the addressee, if he accepts it voluntarily (second paragraph of article 5)\*.

The authority is requested to return or to have returned to the applicant a copy of the documents and of the annex\* with a certificate as provided on the reverse side.

List of documents    Hearing Date:

EXECUTED "REQUEST" IN DUPLICATE; EXECUTED  
"SUMMARY" IN DUPLICATE; "CERTIFICATE"  
(UNEXECUTED) IN DUPLICATE; SUMMONS IN  
DUPLICATE; COMPLAINT IN DUPLICATE  
TRANSLATED SUMMONS IN DUPLICATE  
TRANSLATED COMPLAINT IN DUPLICATE

Done at Seattle, Wa. USA, the 2004

Signature and/a stamp

(formerly OBD-116 which was formerly LA  
both of which may still be used)



**SUMMARY OF THE DOCUMENT TO BE SERVED  
ELEMENTS ESSENTIELS DE L'ACTE**

Convention on the service abroad of judicial and extrajudicial documents in civil or commercial matters, signed at The Hague, November 15, 1965.

*Convention relative à la signification et à la notification à l'étranger des actes judiciaires et extrajudiciaires en matière civile ou commerciale, signée à La Haye, le 15 Novembre 1965.*

(article 5, fourth paragraph)

(article 5, alinea 4)

Name and address of the requesting authority:

Nom et adresse de l'autorité requérante: Rick Hamilton, 910 5th Ave, Seattle, Wa, 98104 USA

Particulars of the parties\*:

Identité des parties: Blackwell Publishing, Inc., Plaintiff  
Federal State of Nordrhein-Westfalen, Germany d/b/a ZBMED  
Defendant

**JUDICIAL DOCUMENT\*\***

**ACTE JUDICIAIRE**

Nature and purpose of the document:

Nature et objet de l'acte: To give notice to the defendant of the institution against them of a claim for civil damages, and to summons them to answer to the complaint.

Nature and purpose of the proceedings and, where appropriate, the amount in dispute:

Nature et objet de l'instance, le cas échéant, le montant du litige: Plaintiff is seeking to recover civil damages, amount to be determined in court.

Date and place for entering appearance\*\*:

Date et lieu de la comparution: Defendant has twenty days from receipt of the Summons to answer to the Complaint, address is noted on the Summons.

Court which has given judgment\*\*:

Jurisdiction qui a rendu la décision: n/a

Date of judgment\*\*:

Date de la décision: n/a

Time limits stated in the document\*\*:

Indication des délais figurant dans l'acte: n/a

**EXTRAJUDICIAL DOCUMENT\*\***

**ACTE EXTRAJUDICIAIRE**

Nature and purpose of the document:

Nature et objet de l'acte: n/a

Time limits stated in the document\*\*:

Indication des délais figurant dans l'acte: n/a

\* If appropriate, identity and address of the person interested in the transmission of the document.

*S'il y a lieu, identité et adresse de la personne intéressée à la transmission de l'acte.*

\*\* Delete if inappropriate.

*Retirer les mentions inutile.*

**PFI**PROCESS  
FORWARDING910 5<sup>th</sup> Ave. Seattle, WA 98104 www.pfiserves.com  
(800) 232-8854 Fax: (800) 786-4011**PROCESS SERVICE INVOICE****BILL TO:****KOTIN, CRABTREE & STRONG LLP 617-227-7031  
ONE BOWDOIN SQUARE****BOSTON, MA 02114-2925**

ACCOUNT #: 102412

ATTN: AMY C. MAINELLI

INVOICE #: **3258606**

DATE: Mar 16 2004

BILL REF: ck28144

**AMOUNT DUE: \$0.00**

**COURT:** UNITED STATES DISTRICT COURT FOR THE DISTRICT OF MASSACHUSETTS  
**CASE NAME:** BLACKWELL PUBLISHING, INC; ET AL., vs. FEDERAL STATE OF NORDRHEIN-WESTFALEN, GERMANY, D/BA/ ZBMED  
**CASE NUMBER:** 04-10050 NG **HEARING DATE:**

**SERVEE:** FEDERAL STATE OF NORDRHEIN-WESTFALEN, GERMANY D/B/A ZMED  
**PERSON SERVED:** URSULA ZANGT-KAMPT AUTHORIZED  
**SERVICE DATE:** Feb 16 2004 12:00AM **SERVED BY:**  
**SERVICE ADDRESS:** DEUTSCHE ZENTRALBIBLIOTHEK FUER MEDIZIN JOSEPH-STELZMANN-STRASSE 9 COLGNE, 50931

**DOCUMENTS:** EXECUTED "REQUEST" IN DUPLICATE; EXECUTED "SUMMARY" IN DUPLICATE; "CERTIFICATE" (UNEXECUTED) IN DUPLICATE; SUMMONS IN DUPLICATE; COMPLAINT IN DUPLICATE TRANSLATED SUMMONS IN DUPLICATE  
 TRANSLATED COMPLAINT IN DUPLICATE

**SERVICE NOTES****BAD ADDRESS LIST**

SERVICE PERFORMED	NOTE	RATE
Forwarding Fee - International		250.00
SUB TOTAL		250.00
PREPAID RETAINER		250.00
AMOUNT DUE		<b>0.00</b>

KOTIN, CRABTREE & STRONG, LLP

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AMY C. MAINELLI\*\*

\*\*ALSO ADMITTED IN RI

March 22, 2004

Clerk  
U.S. District Court for  
The District of Massachusetts  
John Joseph Moakley U.S. Courthouse  
One Courthouse Way  
Boston, MA 02210

Re: Blackwell Publishing, Inc., et al v. Federal State of Nordrhein-Westfalen,  
Germany, d/b/a ZBMED, et al  
U.S. District Court Civil Action No. 04-10050 NG

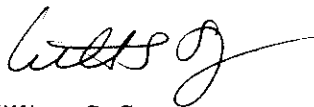
Dear Sir or Madam:

I enclose herein for docketing and filing the Certificate of Service on the Defendant in the above-entitled case.

Kindly acknowledge receipt by date stamping the enclosed copy of this letter and returning it in the enclosed self-addressed envelope.

With thanks for your attention,

Yours sincerely,



William S. Strong

WSS/nm  
Enclosure

Wss/ElsZbmed/Clerk 03-22-2004